

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

THOMAS G. MORGAN, #1294095 §

VS. § CIVIL ACTION NO. 6:07cv325

LUANA S. BLALACK, ET AL. §

ORDER OF PARTIAL DISMISSAL

Plaintiff Thomas G. Morgan, an inmate confined in the Texas prison system, proceeding *pro se* and *in forma pauperis*, filed the above-styled and numbered civil rights lawsuit. The complaint was referred to United States Magistrate Judge John D. Love, who issued a Report and Recommendation for the disposition of the lawsuit. The Plaintiff has filed objections.

The Report of the Magistrate Judge, which contains his proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by the Plaintiff to the Report, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of the Plaintiff are without merit. Therefore the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly

**ORDERED** that the Plaintiff may proceed with his excessive use of force and racial discrimination claims against Officer S. Blalack. The Plaintiff's remaining claims are **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915A(b)(1).

SIGNED this 12th day of December, 2007.

  
MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE